

U.S. Patent Application Serial No. 10/588,499
Response to OA dated October 28, 2008

REMARKS

Claims 1, 10, 15, 17 and 19-20 are amended in order to more particularly point out, and distinctly claim the subject matter which the Applicant regards as the invention. The Applicant respectfully submits that no new matter has been added. Claim 14 is cancelled, without prejudice or disclaimer. It is believed that this Amendment is fully responsive to the Office Action dated **October 28, 2008**.

In the Office Action, Claim 17 is objected to because of inconsistencies between spelling out numbers and in providing just the numeral.

Claim 17 has been amended in a manner to overcome this objection. Removal of the objection is respectfully requested.

In the Office Action, Claim 17 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Reconsideration and removal of this rejection is respectfully requested in view of newly added Claim 26 and the following remarks.

In order to overcome this rejection, new Claim 26 is added to define one of the ranges, and that range has been deleted from Claim 17.

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In the Office Action, Claims 10, and 13-15, 20, 21 and 25 are rejected under 35 U.S.C. §102(b) as being anticipated by Osaka (JP 7,238,690). Reconsideration and removal of this rejection is respectfully requested in view of the present amendments to the claims and the following remarks.

The system of JP '690 is for securing a mortar wall (b) to a concrete body (a) when the mortar wall is separating from the concrete body and forming gap (s). The anchoring pin (c) is first secured with epoxy in drilled hole (12), as shown in FIG. 8 and then additional epoxy or the like is injected through the anchoring pin (c), which is hollow to then fill the rest of the hole (12) and the gap (s) with epoxy or the like, as shown in FIG. 9. The head (9) of the anchoring pin (c) is positioned in a concave part (13) at a surface of the mortar wall (b).

It is respectfully submitted that the present invention is distinct over the system of JP '690 for at least the following reason. In the present invention both the "base end fixation member" and the "top end fixation member" are positioned within the "existing reinforced concrete structure". In JP '690 one end is in the concrete body and the other end is in the mortar wall.

Therefore, Claims 10 and 20 are amended to more clearly define the present claimed invention so as to distinguish over JP '690. In the amendment to Claim 10, the feature of Claim 14, that is the "first top end fixation member" is added. Therefore, Claim 14 has been canceled, as indicated above..

In the Office Action, Claims 1-5, 11-12, 17, 22-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Osaka in view of Tuska (U.S. Patent No. 3,599,379). Reconsideration and

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removal of this rejection is respectfully requested in view of the present claim amendments and the following remarks.

Osaka is discussed above. Tuska is relied on for teaching the claimed "base end width broadening part". In order to distinguish the invention of Claim 1 over the cited references, Claim 1 has been amended to more clearly define the location of the wire rod within the existing reinforced concrete structure object.

In the Office Action, Claims 6 and 7 are rejected under 35 U.S.C. §103(a) as being unpatentable over Osaka in view of Rossi (U.S. Patent No. 6,860,935). Reconsideration and removal of this rejection is respectfully requested in view of the present claim amendments and the following remarks.

Claims 6 and 7 depend from Claim 1. Rossi does not disclose the features found to be deficient in the disclosure of Osaka, discussed above in relation to Claim 1. In view of the amendment to Claim 1, and the above remarks, removal of this rejection is respectfully requested.

In view of the aforementioned amendments and accompanying remarks, Claims 1-7, 10-13, 15, 17 and 20-26, as amended, are believed to be patentable and in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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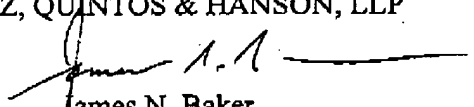
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In the event that this paper is not timely filed, the Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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